

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVION FORD,

Defendant.

8:20CR270

**PRELIMINARY ORDER OF
FORFEITURE**

This matter is before the Court on the government's Motion for Preliminary Order of Forfeiture (Filing No. 69). The Court has carefully reviewed the record in this case and finds as follows:

1. On October 19, 2021, defendant Davion Ford ("Ford") pleaded guilty to Counts I and II of the Indictment (Filing No. 1) and admitted the Forfeiture Allegation. Count I charged Ford with possession with intent to distribute marijuana, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(D). Count II charged Ford with possessing a firearm in furtherance of a drug-trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i).

2. The Forfeiture Allegation of the Indictment sought forfeiture, pursuant to 21 U.S.C. § 853, of United States currency and firearms (the "Property") on the basis they were either (a) used to facilitate the offenses charged in the Indictment or (b) derived from proceeds obtained directly or indirectly as a result of the commission of the offenses charged in the Indictment. The Property includes:

- a. \$5,449 of U.S. currency seized on August 11, 2020, from 8802 N. 75th Avenue, Omaha, Nebraska;
- b. \$8,400 of U.S. currency seized on August 12, 2020, from 8802 N. 75th Avenue, Omaha, Nebraska;

- c. A Hi-Point, Model 995, 9mm rifle, serial number F81735; and
- d. A Glock GMBH, model 23CGEN4, 40 caliber pistol, serial number XXX116.

3. Based on Ford's guilty plea and admission, Ford has forfeited his interest in the Property, and the government should be entitled to possession of the Property pursuant to 21 U.S.C. § 853.

4. The government's Motion for Preliminary Order of Forfeiture should be granted.

IT IS ORDERED:

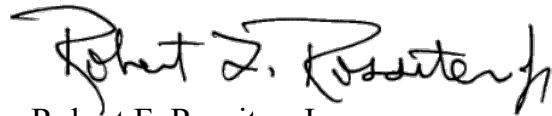
- 1. The government's Motion for Preliminary Order of Forfeiture (Filing No. 69) is granted.
- 2. Based upon the Forfeiture Allegation of the Indictment (Filing No. 1) and Ford's guilty plea and admission, the government is hereby authorized to seize the Property.
- 3. Ford's interest in the Property is hereby forfeited to the government for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).
- 4. The Property is to be held by the government in its secure custody and control.
- 5. Pursuant to 21 U.S.C. § 853(n)(1), the government shall publish for at least thirty consecutive days on an official government forfeiture internet site, www.forfeiture.gov, notice of this Preliminary Order of Forfeiture, notice of publication evidencing the government's intent to dispose of the Property in such manner as the Attorney General may direct, and notice that any person, other than Ford, having or claiming a legal interest in any of the subject Property must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.
- 6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in

the Property, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title, or interest in the Property and any additional facts supporting the Petitioner's claim and the relief sought.

7. The government shall, to the extent practicable, provide direct written notice to any person known to have an interest in the Property as a substitute for published notice as to those persons so notified.
8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

Dated this 27th day of October 2021.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge